

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jan 02, 2018**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Antonio Raul Ayala

Case Number: 0980 2:10CR00063-SMJ-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Salvador Mendoza, Jr., U.S. District Judge

Date of Original Sentence: November 30, 2010

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 66 months  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: George J. C. Jacobs, III

Date Supervision Commenced: December 10, 2014

Defense Attorney: Daniel Noah Rubin

Date Supervision Expires: December 9, 2017

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**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/26/2017, 11/15/2017 and 11/17/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On December 12, 2014, Mr. Ayala's conditions of supervision were reviewed with him. He signed his conditions, acknowledging an understanding of his conditions, to include special condition number 16, as noted above.

Mr. Ayala violated his conditions of supervised release by using methamphetamine on December 20, 2017.

On December 20, 2017, Mr. Ayala provided a random urinalysis test at Pioneer Human Services (PHS) as the color of the day was brown 1, Mr. Ayala's assigned color for urinalysis testing. Mr. Ayala provided a urine sample which tested presumptive positive for methamphetamine. Mr. Ayala denied using illicit drugs. The urine sample was sent to Alere Toxicology for further testing. On December 26, 2017, the lab report was received from

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Alere Toxicology confirming a positive result for methamphetamine. On December 27, 2017, the undersigned officer confronted Mr. Ayala again about the positive urinalysis test, and he continued to deny any illicit drug use.

- 6      **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On December 12, 2014, Mr. Ayala's conditions of supervision were reviewed with him. He signed his conditions, acknowledging an understanding of his conditions, to include special condition number 16, as noted above.

Mr. Ayala violated his conditions of supervised release by using methamphetamine on November 29, 2017.

On November 29, 2017, Mr. Ayala provided a random urinalysis test at PHS as the color of the day was brown 1, Mr. Ayala's assigned color for urinalysis testing. Mr. Ayala provided a urine sample which positive for methamphetamine, and which was later confirmed positive by Alere Toxicology on December 7, 2017.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/29/2017

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s/Corey M. McCain

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Corey M. McCain  
U.S. Probation Officer

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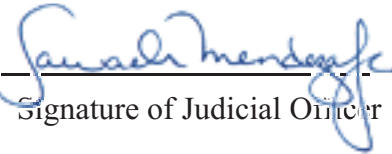
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

01/02/2018

\_\_\_\_\_  
Date